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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,483	05/08/2004	Timothy Kingston	7589.165.PCUS00	1684

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EXAMINER

KING, BRADLEY T

ART UNIT PAPER NUMBER

3683

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

Applicant's election of Group I and Species A in the reply filed on 12/27/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 14-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention and/or species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/27/2005.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Sweden on 12/11/2001. It is noted, however, that applicant has not filed a certified copy of the Swedish application as required by 35 U.S.C. 119(b). The application filed on 11/8/2001 has been received. Note MPEP 1895.01

Applicant is required to certify that the international application was not withdrawn or considered to be withdrawn either generally or as to the United States, prior to the filing date of the instant application. Note MPEP 1895.01.

Claim Rejections - 35 USC § 102

Art Unit: 3683

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Jirousek et al (US# 4317498).

Jirousek et al disclose all the limitations of the instant claims including; an annular member 18 for a braking device utilizing a multiple disk brake, said annular member comprising: a first portion 16 forming a part of a brake housing of the braking device; a second portion (perpendicular surface adjacent 48 or surface of pressure plate adjacent reference number 30) forming a pressure surface for the disks in the braking device; and a third portion provided with teeth 28 and forming a ring gear configured to form part of a planetary gear transmission.

Regarding claims 5-6, note teeth 26.

Regarding claim 10, note second portion (pressure plate adjacent reference number 30) is arranged at the inner end of the ring gear and delineates the end of the ring gear.

Regarding claim 11, note fourth portion at the outer circumference receiving bearings 94 and 96. Also see figure 2.

Regarding claim 12, the races of bearings 94 and 96 are capable of receiving balls.

Regarding claim 13, the fourth portion near bearing 94 is the outer part of the ring gear.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kingston (US# 6090006).

Kingston discloses all the limitations of the instant claims including; an annular member 28 for a braking device utilizing a multiple disk brake 34, said annular member comprising: a first portion (portion with splines 42) forming a part of a brake housing of the braking device; a second portion 32 forming a pressure surface for the disks in the braking device; and a third portion provided with teeth 30 and forming a ring gear configured to form part of a planetary gear transmission.

Regarding claims 5-6, note splines 42.

Regarding claims 7-8, note the portion with splines 42 is further than the portion with the ring gear 30.

Regarding claim 10, note second portion 30 is arranged at the inner end of the ring gear as broadly recited.

Regarding claim 11, note fourth portion at the inner circumference receiving bearings 26. Also see figure 2.

Regarding claim 12, the races of bearings 26 are capable of receiving balls.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Keese, Logan, and Forster.

Art Unit: 3683


WO 03/040581 is an international application corresponding to the instant application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley T. King whose telephone number is (571) 272-7117. The examiner can normally be reached on 11:00-7:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571) 272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BTK

 3/16/06
BRADLEY KING
PATENT EXAMINER